

House File 149 - Introduced

HOUSE FILE 149

BY MITCHELL

A BILL FOR

1 An Act relating to the publication of defamatory political
2 advertisements.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 68A.302, subsection 2, Code 2021, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. 1. Publication of published material that
4 disparages or expressly advocates against a candidate or ballot
5 measure if that published material includes a defamatory
6 falsehood made with actual malice. For the purposes of this
7 paragraph, "*published material*" means the same as defined in
8 section 68A.405. Section 68A.701 shall not apply to this
9 paragraph.

10 EXPLANATION

11 The inclusion of this explanation does not constitute agreement with
12 the explanation's substance by the members of the general assembly.

13 This bill prohibits candidates and candidates' committees
14 from using campaign funds on the publication of published
15 material that disparages or expressly advocates against a
16 candidate or ballot measure if the published material contains
17 a defamatory falsehood made with actual malice. The bill is
18 exempted from the provisions of Code section 68A.701 (penalty).